



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

The Zoning Project Submittal Requirements packet describes all of the materials required to submit a complete Zoning Project Application to the Planning and Development Department, Land Use Division. Section 1 is a checklist of materials required for all projects. Sections 2-7 is a checklist of materials that may be required based on the project type or location.

Each submittal requirement on the checklist is described further in this packet, starting on page 3. Each description identifies whether an item is required, and indicates how to prepare each document, drawing, material, and/or report. Hyperlinked forms and instructions are also online under Land Use at <https://berkeleyca.gov/construction-development/permits-design-parameters/permit-types/permit-forms>.

Pages 1—2 of this packet must be completed and submitted with the Zoning Project Application. Staff will verify that the minimum submittal requirements have been included with your package during the application screening and submittal. Applications that are missing the materials will not be accepted for review.

All documents, reports and plans must be provided in digital format, unless requested in hard copy. See the [Guide to Submitting a Zoning Project Application](#) for digital plans and document standards.

SECTION 1 - REQUIRED FOR ALL PROJECTS

- A. Completed Application
 - 1. Zoning Project Application Form
 - 2. Completed Copy of This Zoning Project Submittal Requirements Checklist (Pages 1-2)
- B. Applicant Statement/Waiver Request
- C. Payment of Application Fees
- D. Hazardous Waste and Substance Statement
- E. Tabulation Form
- F. Pre-Application Yellow Poster
- G. Pre-Application Neighborhood Contact

SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

- A. Site Plan
- B. Landscape and Usable Open Space Plan
- C. Lot Coverage Diagram
- D. Floor Plans
- E. Building Elevations
- F. Street Strip Elevation
- G. Section Drawings
- H. Boundary and/or Topographic Survey
- I. Grading Plan

SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

- A. Site Photographs
- B. Shadow Study
- C. Story Pole Plan
- D. Arborist Report
- E. Structural Evaluation
- F. Parking Survey
- G. Transportation Demand Management
- H. Photo Simulations
- I. Public Art Declaration



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SECTION 4 - ENVIRONMENTAL REVIEW

- A. Creek Protection Documentation
- B. Historic Resource Evaluation
- C. Geotechnical and Seismic Hazard Investigation
- D. Phase I or Phase II Site Assessment
- E. Transportation Impact Study
- F. State General Construction Permit
- G. Stormwater Requirements Checklist

SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

- A. Housing Affordability Statement
- B. Anti-Discrimination Housing Policies
- C. Density Bonus Eligibility Statement
- D. Area of Potential Effects (APE) Statement

SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

- A. WELO Landscape Requirements
- B. Natural Gas Prohibition, Berkeley Energy Code and Berkeley Green Co
- C. Green Building Requirements

SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS

- A. Design Review
- B. Structural Alteration Permit
- C. Zoning Use Questionnaire
- D. Home Occupation Questionnaire - Class II and III



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS	
<input type="checkbox"/>	<p>A. Zoning Project Application Packet</p> <ol style="list-style-type: none"> Zoning Project Application Form Zoning Project Submittal Requirements (Pages 1 and 2 of this document)
<input type="checkbox"/>	<p>B. Applicant Statement/Request to Waive a Submittal Requirement</p> <p>Submit a written statement (in a separate document) that briefly describes the proposed project and how it satisfies the findings required by the Zoning Ordinance, as well as any request to waive a submittal requirement.</p> <p>For applications to modify a prior permit, submit the following information</p> <ol style="list-style-type: none"> Describe the proposed changes from the approved project Clearly list and describe all changes from the approved project and the basis for the change
<input type="checkbox"/>	<p>C. Payment of Land Use Planning Application Fees</p> <p>Submit required fees to the cashier in the Permit Service Center or pay through the Online Permit Portal. Review of your application will not begin until the fees are paid in full.</p> <p>If supplemental technical studies are required, a Peer Review deposit will be required (e.g., Traffic Impact Analysis, Geotechnical Report, Arborist Report).</p>
<input type="checkbox"/>	<p>D. Hazardous Waste and Substances Statement</p> <p>Required for all projects, pursuant to Government Code Section 65928.</p>
<input type="checkbox"/>	<p>E. Tabulation Form</p> <p>Required for all projects.</p> <p>Submit the form as a separate document, completely filling out each column, using the applicable development standards of the Zoning Ordinance as a guide.</p>
<input type="checkbox"/>	<p>F. Pre-Application Yellow Poster</p> <p>Required for all Projects</p> <p>Install the poster prior to submittal, and submit color photos that clearly show the poster installed at the front of the site and that clearly show the sign content.</p> <p>Yellow Poster Instructions</p> <p>Small Project Sample Poster and fillable PDF template</p> <p>Large Project Sample Poster and fillable PDF template</p> <p>(Large poster required for projects that include three or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.)</p>



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS

- G. **Pre-Application Neighborhood Contact and Outreach Instructions**
Required for the following projects:
 - All **projects located in a Residential District**, and all **non-residential projects that abut a Residential District are required to** contact all abutting and confronting residential occupants and residential property owners to advise them of the proposed development prior to submitting a zoning project application.
 - All **projects of community or neighborhood interest**, which consist of the following:
 - i. Any project in a Residential District that would create 6 or more bedrooms on a parcel within ½ mile of the UC Campus (or the area confined by Grant Avenue on the west, Derby Street on the south, and Rose Street on the north), or
 - ii. Any project in a Non-Residential District that includes three or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.
 - iii. **Are required to** contact all property owners, residents, and neighborhood organizations within 300 feet of the project site to advise them of the proposed development.
 - All **residential projects that propose to alter an existing dwelling unit or eliminate a dwelling unit that is subject to the Rent Ordinance** (BMC Chapter 13.76) through demolition, including elimination of a dwelling unit through conversion, **are required to** provide all sitting tenants notice of the application no later than the date the application is submitted to the City.



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SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

<input type="checkbox"/>	<p>Plans – General Requirements</p> <p>1. All plans must be fully dimensioned, and include:</p> <ul style="list-style-type: none"><input type="checkbox"/> Name of person preparing plans (licensed architect required for certain projects, see Item 3 below)<input type="checkbox"/> Dates of preparation and revision<input type="checkbox"/> Project address<input type="checkbox"/> Graphic scale (see Item 2 below for minimum scales)<input type="checkbox"/> North arrow<input type="checkbox"/> Legend describing all symbols and notations<input type="checkbox"/> Building Code construction and occupancy types. <p>For applications to modify a prior permit, the plans must clearly show the approved and modified project, and you must “cloud” all changes from the approved project.</p> <p>2. Electronic Plans Requirements: See the Zoning Project Application Guide to Submitting for digital plans and document standards. Note that these plans are often released to the public on paper no larger than 8½” x 11”, and that you must format your plans so that all images and text are legible at this size. Hard copy plan sets may be required by the project planner, if necessary to facilitate project review. <u>Design Review Committee, Landmarks Preservation Commission, and Use Permit applications only</u>, 12 copies of 11” x 17” or 12” x 18” plan sets must be submitted at least two weeks prior to the public meeting or hearing.</p> <p>3. Architect or Engineer Required for Certain Projects Plans that require preparation by a licensed California architect or engineer under the California Architects Practice Act (Business and Professions Code Sections 5537 and 6737) shall bear the architect or engineer’s stamp and signature on each sheet. This requirement may be waived for projects involving only minor alterations or repairs; consult with a planner. For further information, visit www.cab.ca.gov</p> <p>4. Change of Use Applications that only propose to change the type of activity or use occurring within the building must submit the following site-related information:</p> <ul style="list-style-type: none"><input type="checkbox"/> Site Plan showing the following:<ul style="list-style-type: none">a. Property lines and lot dimensionsb. Existing and proposed building footprint(s), dimensions, setbacks (required, existing and proposed), and projections such as eaves, balconies and bays. Show all buildings , including garages, sheds, etc.c. Driveways and parking spaces with dimensions, location of handicapped parking spaces, bicycle racks, and security gates.<input type="checkbox"/> Floor Plans showing the following:<ul style="list-style-type: none">d. All floors, including mezzanines, basements, and atticse. Use of all rooms (existing and proposed), per the California Building Codef. For buildings with multiple commercial tenant spaces, label the use of each tenant space within the subject building. <p>Note: For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features.</p>
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<input type="checkbox"/>	<p>A. Site Plan</p> <p>Required for all projects</p> <p>The Site Plan must show the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Property lines and lot dimensions <input type="checkbox"/> Existing and proposed building footprint(s) (dimensioned), setbacks (required, existing and proposed), and projections such as eaves, balconies, and bays. Show all accessory structures, such as garages, sheds, etc. <input type="checkbox"/> Delineation of proposed additions, if any, with shading, hatching or another appropriate method <input type="checkbox"/> Any portions of neighboring buildings within 20 feet of property lines, including the building-to-building separation (measured in feet) <input type="checkbox"/> Pathway(s) from the residential structure to the public right of way <input type="checkbox"/> Driveways and parking spaces with dimensions, location of ADA spaces, and security gates <input type="checkbox"/> Trash/solid waste storage area <input type="checkbox"/> Bicycle racks (short-term bicycle parking) subject to the Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox <input type="checkbox"/> Utility meters / boxes / equipment for all wet and dry utilities – including above-ground and under-ground, in conformance with utility company standards, including on the site and in the public right of way (subject to approval by the Public Works Department). <input type="checkbox"/> Decks, patios, hot tubs, and all unenclosed accessory structures <p>Note: The City of Berkeley Community GIS Portal is an online resource indicating site features and characteristics listed above, which are required to be shown on the Site Plan</p>
<input type="checkbox"/>	<p>B. Landscape and Usable Open Space Plan</p> <p>Required for all projects</p> <p>The Landscape Plan must show the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Fully dimension all areas that qualify as existing and proposed Usable Open Space, in compliance with the applicable zoning district development standard and BMC Section 23.304.090; and <input type="checkbox"/> Any existing landscaping to remain and to be removed <input type="checkbox"/> All proposed landscaping, including all existing and proposed trees, including street trees (indicate species, trunk diameter, drip line), hedge rows, and ground cover <input type="checkbox"/> All paved areas and surface treatments <input type="checkbox"/> Fences and retaining walls (materials and height) <input type="checkbox"/> Significant natural features such as creeks (indicate banks or culvert outline), and prominent landforms.
<input type="checkbox"/>	<p>C. Lot Coverage Diagram and Calculations</p> <p>Required for all residential projects (or the residential portion of a mixed-use project).</p> <ul style="list-style-type: none"> <input type="checkbox"/> Submit the Lot Coverage Diagram and calculations, using the Site Plan as a base map, which must show the fully dimensioned diagrams to depict existing and proposed lot coverage in compliance with the applicable zoning district development standard and BMC Section 23.106.020.
<input type="checkbox"/>	<p>D. Floor Plans</p> <p>Required for all projects.</p> <p>The Floor Plan (s) must show the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> All floors, including mezzanines, basements, and attics <input type="checkbox"/> Trash room pursuant to Public Works Department requirements <input type="checkbox"/> Long-Term Bicycle parking, showing location of lockers or racks suitable for secure locks and subject to the Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox <input type="checkbox"/> Use of all rooms (existing and proposed), per the California Building Code <input type="checkbox"/> For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, use dashed lines for demolished features and solid lines for new features.



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<input type="checkbox"/>	<p>E. Building Elevations Required for all projects. The Elevations must show the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> All exterior features and openings, including finishes and materials <input type="checkbox"/> Existing and proposed building height (as defined in BMC Sections 23.106.090), see Instructions linked below), finished floor elevations, and existing and finished grades (within five feet of the building). <input type="checkbox"/> Adjacent features such as fences, landscaping, and other buildings and property lines. <input type="checkbox"/> For changes to existing buildings, provide separate elevations for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features. <p>Height Instructions –Average Building Height* (Residential districts, except R-S and R-SMU)</p> <p>Height Instructions –Maximum Building Height* (Hillside Overlay, R-S, R-SMU, Commercial, and Manufacturing districts)</p> <p>*In the Hillside Overlay (“H”), both average and maximum building height apply.</p>
<input type="checkbox"/>	<p>F. Street Strip Elevation Required for any new main buildings. Submit a street elevation exhibit showing existing conditions on the parcel and the proposed project in elevation view; include at least two (2) parcels on either side of the subject parcel on a single sheet. Minimum scale is 1/8” = 1’.</p>
<input type="checkbox"/>	<p>G. Section Drawings Required for the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> New main buildings in the “H” District. <input type="checkbox"/> Additions exceeding 14 feet in average height in the “H” District. <p>Submit drawings that show adjacent uphill or downhill buildings where views may be affected. Minimum scale is 1/8” = 1’. Show existing and proposed finished grades.</p>
<input type="checkbox"/>	<p>H. Boundary and/or Topography Survey Required for the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Any new main building. <input type="checkbox"/> Expansions of a building footprint or the creation of accessory building/structures less than two feet from, or within, a required setback. <p>Submit a survey meeting the following requirements:</p> <ol style="list-style-type: none"> 1. Wet-stamped, signed by a licensed CA surveyor or appropriately licensed civil engineer 2. Minimum scale of 1/10” = 1’ 3. All property lines, curb and sidewalk, spot elevations, existing structures, building dimensions, and setbacks to all property lines 4. For projects in the “H” District, survey must be no more than five years old and must show contour lines with minimum 5-foot intervals.
<input type="checkbox"/>	<p>I. Conceptual Grading Plan Required for projects with more than 50 cubic yards of cut and/or fill. Submit a grading plan meeting the following requirements:</p> <ol style="list-style-type: none"> 1. Prepared by a licensed surveyor, architect or engineer 2. Estimated quantities and locations of cut and fill 3. Existing and final elevations



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS	
<input type="checkbox"/>	<p>A. Site Photographs Required for all projects</p> <p>Submit one set of exterior photos, that meet the following requirements:</p> <ol style="list-style-type: none"> Use captions or a key indicating the location (perspective) of each photo. Provide an adequate number of photos to show entire project site and all adjacent buildings for context. Where possible, take wide-angle shots showing project site and adjacent buildings together.
<input type="checkbox"/>	<p>B. Shadow Study Required for the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Buildings exceeding 14 feet in average height, located in or adjacent to a residential (R) district (excluding ADUs) <input type="checkbox"/> Additions exceeding 14 feet in average height on sites adjacent to a residential use <input type="checkbox"/> Projects in either the C-T or C-DMU District, requiring a Use Permit to increase the maximum building height/number of stories <p>Shadow Study Instructions</p>
<input type="checkbox"/>	<p>C. Story Pole Plan Required for the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> New main buildings exceeding 14 feet in average height in the “H” District (excluding ADUs) <input type="checkbox"/> Additions exceeding 14 feet in average height in the “H” District <p>Story Pole Instructions</p>
<input type="checkbox"/>	<p>D. Arborist Report Required for projects involving any construction activity (including excavation, trenching, demolition, paving, storage of materials, and parking of vehicles) within the drip line of a Coast Live Oak (quercus agrifolia) tree with a circumference of at least 18 inches at 4 feet above the ground (or at least 26 inches aggregate circumference for a multi-stemmed tree).</p> <p>Submit</p> <ol style="list-style-type: none"> A report by a certified arborist assessing the project’s impacts on the affected tree(s) (tree may be located either on- or off-site) and recommending preservation measures both during and after construction, as applicable. Deposit of \$460 for the first two hours of peer review of report (additional funds may be required for more complicated projects or site visits) <p>Tree Protection Instructions Coast Live Oak Tree Ordinance</p>
<input type="checkbox"/>	<p>E. Structural Evaluation Required for any project that is not a demolition, but is removing between 25 and 49 percent of a main building’s exterior wall and between 25 and 49 percent of a main building’s roof framing (including in-kind replacement of existing framing), in order to confirm the feasibility of retaining the remaining portions of any wall and roof.</p> <p><u>A Structural Evaluation is not required</u> for projects requesting a Use Permit for demolition.</p> <p>Submit a demolition diagram that indicates the percentage of each wall and roof that is proposed to be replaced or removed, as well as a report by an independent, fully credentialed structural engineer that evaluates whether, in the operator’s opinion, retention of structural elements <u>not</u> proposed for removal is actually feasible.</p>
<input type="checkbox"/>	<p>F. Parking Survey Required for projects requesting a waiver of any required off-street vehicular parking spaces pursuant to the Zoning Ordinance, located in a Commercial or Manufacturing District (C, M, MM, or MU) .</p> <p>Parking Survey Instructions</p>



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SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

<input type="checkbox"/>	<p>G. Transportation Demand Management (TDM) and Bicycle Parking Supplemental Application Required projects creating five or more new dwelling units or Group Living Accommodation rooms</p> <p>TDM required for projects creating 10 or more dwelling units outside of the C-DMU. (Not required for projects where 50 percent of total units are affordable, ADUs, projects located in ES-R, or projects on properties in the Hillside overlay on narrow streets 26-feet wide or less.)</p> <p>Bicycle parking required for projects creating five or more new dwelling units and/or Group Living Accommodation rooms.</p> <p>TDM and Bicycle Parking Process Overview TDM Program and Bicycle Parking Supplemental Application</p>
<input type="checkbox"/>	<p>H. Photo Simulations Required for a project creating any of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Wireless telecommunications projects <input type="checkbox"/> A “Large Scale Development Project,” which consists of project located in a non-residential district that proposes any of the following: <ul style="list-style-type: none"> – Density Bonus under Section 65919 of California State Law, – Three or more stories in height, – Floor Area Ratio more than 2.00, or – 10,000 square feet or more of gross floor area. <p>Photo Simulation Instructions</p>
<input type="checkbox"/>	<p>I. Public Art Declaration Required for any of the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A new commercial or industrial building <input type="checkbox"/> A project that creates five or more dwelling units <input type="checkbox"/> An addition of more than 10,000 square feet to any commercial or industrial building <p>Public Art Allocation Declaration form</p>



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 4 - ENVIRONMENTAL REVIEW



A. Creek Protection Documentation

Required for any project within 40 feet of the centerline of an open creek, and/or within 25 feet of a culverted creek, that is protected by the Creeks Ordinance

[Creek Protection Instructions](#)

Note: Applies even if a protected creek or culvert has not yet been identified by the City.



B. Historic Resource Evaluation

Required for:

- Demolition of a non-residential building 40 or more years old, subject to referral to the Landmarks Preservation Commission in accordance with [BMC Section 23.326](#)
- Demolition/Substantial Change of any building 40 or more years old subject to environmental review pursuant to CEQA

Submit: State of California Department of Parks and Recreation ([DPR](#)) [523 forms](#). Evaluation(s) to include references to development history documentation (including but not limited to photographs, building permits, Sanborn maps, and directory listings); completed by a qualified historian, architectural historian or historic architect. Provide supplemental information in accordance with the Landmarks Preservation Ordinance criteria ([BMC Section 3.24.110](#)).

The Environmental Review Officer may waive this requirement for residential addition and alteration proposals after determining that the project complies with preservation standards and environmental practices OR that qualified sources other than an HRE can provide the relevant information.

[California guidelines \(Instructions for Recording Historical Features\)](#)



C. Geotechnical and Seismic Hazard Investigation

Required for all development projects intended for human occupancy located in a State-designated Seismic Hazard Zone, as defined by the California Seismic Hazards Mapping Act and Alquist-Priolo Earthquake Fault Zoning Act, as shown on the State's [Environmental Constraints Map](#).

Exemptions:

For projects located in any State-designated Seismic Hazard Zone (PRC 2693, i.e. liquefaction, landslide, and earthquake shaking):

- Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;
- A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; or
- Alterations or additions to any structure within a seismic hazard zone which do not exceed either 50 percent of the value of the structure or 50 percent of the existing floor area of the structure.

If located in the Alquist-Priolo Fault Zone (PRC 2621.6 and 2621.7):

- Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;
- A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; and
- Alterations or additions to any structure if the value of the alteration or addition does not exceed 50 percent of the value of the structure; or
- Conversion of an existing apartment complex into a condominium.

Submit the following:

1. Geotechnical report satisfying the California Building Code and requirements of [Special Publication 117A](#) (for landslide and liquefaction zones) and/or [California Geological Survey Note 49](#) (for fault zones); and
2. Deposit of \$1,500 for peer review of report (additional funds may be required for more complicated projects).



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SECTION 4 - ENVIRONMENTAL REVIEW	
<input type="checkbox"/>	<p>D. Phase I or II Site Assessment</p> <p>Required for any project that includes the following:</p> <ul style="list-style-type: none"><input type="checkbox"/> Substantial excavation in non-residential zoning districts<input type="checkbox"/> A site with a history of soil and/or groundwater contamination (see the Hazardous Waste and Substances Statement)<input type="checkbox"/> A site within an Environmental Management Area (see Community GIS Portal) <p>Contact the Toxics Management Division (510) 981-7460 for more information.</p>
<input type="checkbox"/>	<p>E. Transportation Impact Study</p> <p>Required for projects that do not meet at least one of the City’s screening criteria for determining if detailed VMT or vehicular parking analysis is necessary.</p> <p>Consult with the Transportation Division for a copy of the screening criteria and thresholds at (510) 981-7010</p>
<input type="checkbox"/>	<p>F. State General Construction Permit</p> <p>Required for projects disturbing one acre or more of soil (or less than one acre if part of a larger development plan that disturbs one acre or more).</p> <p>Submit a copy of the Notice of Intent (NOI) submitted for the State General Construction Permit, and Storm Water Pollution Prevention Plan (SWPPP) prior to building permit issuance.</p> <p>Construction Stormwater General Permits</p>
<input type="checkbox"/>	<p>G. Stormwater Requirements Checklist</p> <p>Required for projects creating or replacing 2,500 square feet or more of impervious surface, including single-family dwellings. Includes new buildings, additions, and alterations to existing roofs that affect drainage; does not include maintenance/re-surfacing of existing impervious surfaces.</p>



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

A. Housing Affordability Statement

Required for a project creating any of the following:

- Five or more new dwelling units and/or five or more live/work units
- New dwelling units and/or live/work units on lots whose size and zoning designation is such to allow construction of five or more dwelling units (R-2, R-2A, and MU-R Districts)
- One to four new dwelling units and/or five or more live/work units, which are added to an existing one to four-unit property developed after August 14, 1986, and the resulting number of units totals five or more
- Additional condominium units, resulting in five or more condominium units converted and/or created after August 14, 1986 on the site

Submit a written statement describing the following:

1. How the project complies with the Inclusionary Housing Ordinance
2. Level of affordability that will be provided and/or amount of in lieu fee that will be paid
3. Number and location of any affordable units provided
4. Size and amenities (bedrooms, bathrooms, parking facilities) of any affordable units

B. Anti-Discrimination Housing Policies

Required for a project creating any of the following:

- Five or more new dwelling units and/or five or more live/work units
- New dwelling units and/or live/work units on lots whose size and zoning designation is such to allow construction of five or more dwelling units
- One to four (new dwelling units and/or five or more live/work units, which are added to an existing one to four-unit property developed after August 14, 1986, and the resulting number of units totals five or more
- Additional condominium units, resulting in five or more condominium units converted and/or created after August 14, 1986 on the site

Submit a written statement answering the following questions and provide the requested documentation, if applicable:

- Does the applicant or sponsor, including the applicant or sponsor’s parent company, subsidiary, or any other business or entity with an ownership share of at least 30 percent of the applicant’s company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in states or jurisdictions outside of California?
- If the answer to (1) is yes, which?
- If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have policies in individual states that prohibit discrimination based on sexual orientation, gender identity, and/or gender expression in the sale, lease, or financing of any dwelling units enforced on every property in the state or states where the applicant or sponsor has an ownership or financial interest?
- If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?
- If the answer to (3) or (4) is yes, please provide a copy of that policy or policies as part of this application.

The Land Use Division will not accept an application as complete unless the applicant provides a response to this section. The processing of and recommendations or determinations made by the Land Use Division regarding an application will be unaffected by the applicant’s response to this section.



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SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

C. Density Bonus Eligibility Statement

Required for projects requesting a density bonus pursuant to [Government Code Section 65915](#).

Submit the following information

1. A written statement that includes the following information:
 - a. Number of “base project” units
 - b. Number and percent of affordable units and level of affordability
 - c. Percent density bonus requested and allowed pursuant to [Government Code Section 65915](#)
 - d. Waivers or modifications of development standards necessary to physically accommodate “density bonus” units (e.g., increased height or FAR, reduced setbacks or parking, etc.)
 - e. Explanation of why each waiver or modification is needed to accommodate “density bonus” units
 - f. If the project is requesting an incentive or concession, describe each incentive or concession being requested in addition to (or instead of) waivers or modifications necessary to accommodate density bonus
2. **Plans showing a “base project” that complies with all applicable Zoning Ordinance requirements.** For staff to effectively review your density bonus project, a combination of diagrams, compliance tables and calculation tables must be included in the project plan set:
 - a. Base Project and Proposed Project diagrams, per floor
 - b. Base Project and Proposed Project development standards compliance tables
 - c. Residential floor area calculations and diagrams (per floor; can be combined with Base Project and Proposed Project diagrams)
 - d. Maximum allowable residential density calculation table
 - e. Usable open space and lot coverage diagrams and calculations
 - f. Base Project, Density Bonus, and Proposed Project residential floor area table

Your project planner can provide examples of preferred diagram and table formats.

[State Density Bonus - Procedures](#)

[State Density Bonus - Objective Standards/Housing Accountability Memo - Dated 08/2021](#)

D. Area of Potential Effects (APE) Statement

Required for projects seeking federal funds (either directly or through the [City of Berkeley Housing Trust Fund](#)).

Submit a statement identifying the project’s “Area of Potential Effects” as defined in federal regulations ([36 CFR Part 800](#)). Contact the Housing Department at (510) 981-5400 for more information and requirements.



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

A. WELO Landscape Requirements

Required for projects with either:

- 500 square feet or more of new, or
- 2,500 square feet or more of renovated irrigated area.

These projects must comply with water efficient landscaping as specified in the [Model Water Efficient Landscape Ordinance \(MWELo\)](#) and [East Bay Municipal Utility District \(EBMUD\) Water Efficiency Review: Section 31 Regulations and MWELo Compliance](#), and all applicable measures in the [Bay Friendly Basics checklist](#).

Submit WELO-compliant landscape documentation including a planting, grading, and irrigation plan. Water budget calculations are also required for landscapes of 2,500 square feet or more. The reference evapotranspiration rate (ET_o) for Berkeley is 41.8.

See [Green Building requirements](#).

B. Natural Gas Prohibition, Berkeley Energy Code, and Berkeley Green Code

Required for newly constructed buildings (buildings that have never before been used or occupied for any purpose).

Submit the following:

1. **A statement that the building will not include any natural gas infrastructure in compliance with BMC Chapter 12.80**, or documentation to support an application for an exception or public interest exemption to the Natural Gas Prohibition if the conditions of BMC Section 12.80.040A.1 or 12.80.050 are met.
2. **A statement, and corresponding features on plans, that the proposed project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36)** and Berkeley Green Code (BMC Chapter 19.37), adopted by City Council on December 3rd, 2019, including solar PV system, electric vehicle charging, and low-carbon concrete requirements. Building design must incorporate all-electric systems unless an exception or public interest exemption to the Natural Gas Prohibition is granted. Electric readiness and increased energy efficiency is required for any mixed-fuel building.

Note: Carefully consider the Building Code prior to submitting a Use Permit application. Per the standard Conditions of Approval for all development projects, only the Zoning Adjustments Board may approve a modification to the use or structure for which the Permit is issued, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

Changes in the plans for the construction of a building or structure, may be modified prior to the completion of construction, in accordance with [BMC Section 23.404](#). The Zoning Officer may approve changes to plans approved by the Board, consistent with the Board's policy adopted on May 24, 1978, which reduce the size of the project.

See [Green Building requirements](#).

C. Green Building Requirements

Required for newly constructed buildings and additions of more than 20,000 square feet for projects located in the Downtown area (Commercial-Downtown Mixed-Use District, generally bounded by MLK Jr. Way to the west, Dwight Way to the south, Oxford Street to the east, and Hearst Avenue to the north).

Submit a completed [LEED Checklist / Scorecard](#) (typically for commercial projects), showing that the proposed project is on track for LEED Gold certification or above, or a completed [GreenPoint Rated \(GPR\) Checklist](#) (for residential and most mixed-use projects), showing that the proposed project is on track for GPR Silver certification or above.

See [Green Building requirements](#).



ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS	
<input type="checkbox"/>	<p>A. Design Review</p> <p>Required for:</p> <ul style="list-style-type: none"><input type="checkbox"/> Projects with exterior changes in non-residential districts<input type="checkbox"/> Non-residential projects in R-3, R-4, R-S and R-SMU Districts<input type="checkbox"/> Other projects as required by the Zoning Officer <p>Submit separate Design Review application form per the Design Review Submittal Requirements.</p>
<input type="checkbox"/>	<p>B. Structural Alterations Submittal</p> <p>Required for exterior alterations to designated City Landmarks, Structures of Merit, and structures within a Historic District (and interior alterations to such structures if publicly owned).</p> <p>Submit separate Structural Alteration Permit application, per the Structural Alteration Permit & Design Review Submittal Requirements.</p>
<input type="checkbox"/>	<p>C. Zoning Use Questionnaire</p> <p>Required for projects that establish a new business or create a new commercial space with the tenant/operator already selected.</p>
<input type="checkbox"/>	<p>D. Home Occupation Questionnaire – Class II and III</p> <p>Required for Class II or Class III Home Occupations that establish a new home-based business.</p> <p>Submit a Zoning Permit Application (Section 1.A, above), and fill out the Class II and III Home Occupation Questionnaire.</p>